



The Legal-Political Paradox in Granting Absolute Jurisdiction to the Administrative Court (PTUN) over the Judicial Review of Abuse of Authority in Indonesia

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ABSTRAK

Penelitian ini mengkaji paradoks hukum-politik dalam pemberian kewenangan absolut kepada Peradilan Tata Usaha Negara (PTUN) untuk mengadili permohonan penyalahgunaan wewenang oleh pejabat publik, serta dampaknya terhadap penegakan hukum pidana. Dengan pendekatan kualitatif dan metode yuridis-sosiologis, data diperoleh melalui analisis dokumen hukum, wawancara dengan hakim, akademisi, dan praktisi hukum, serta telaah putusan pengadilan. Meskipun Undang-Undang Administrasi Pemerintahan memberikan kewenangan final dan mengikat kepada PTUN, ruang lingkup kewenangan tersebut dibatasi oleh Peraturan Mahkamah Agung No. 4 Tahun 2015 (Perma 4/2015), terutama karena frasa “setelah pengawasan APIP” yang multitafsir. Statistik Mahkamah Agung mencatat hanya 12 perkara penyalahgunaan wewenang (PW) yang diajukan antara 2015–2022, sebagian besar ditolak secara prosedural. Dari tiga perkara yang diputus tanpa ditemukan penyalahgunaan, dua tetap dilanjutkan secara pidana. Ini menandakan lemahnya posisi PTUN sebagai pelindung diskresi administrasi pejabat publik. Penelitian ini menyimpulkan bahwa terdapat kekacauan batas antara hukum administrasi dan hukum pidana akibat desain kelembagaan dan regulasi yang lemah. Diperlukan revisi Perma 4/2015 dan penguatan kelembagaan PTUN untuk menjamin perlindungan hukum yang adil, rasional, dan akuntabel dalam sistem pemerintahan.

ABSTRACT

This study examines the legal-political paradox behind granting the Administrative Court (PTUN) authority to assess abuse of power by public officials, and how it affects criminal law enforcement. Using a qualitative socio-legal method, data were collected through legal document analysis, interviews with judges, scholars, and practitioners, and court ruling reviews. While the Administrative Law grants PTUN binding authority, its scope is limited by Supreme Court Regulation No. 4 of 2015 (Perma 4/2015), particularly due to the vague phrase “after APIP oversight.” According to the Supreme Court, only 12 abuse-of-power (PW) cases were filed between 2015 and 2022—most rejected on procedural grounds. Of the three cases ruled without abuse found, two were still prosecuted criminally. This reveals the court’s weak role in protecting officials’ discretionary authority. The study concludes that institutional and regulatory flaws blur the line between administrative and criminal law, undermining PTUN’s corrective function. A comprehensive revision of Perma 4/2015 and institutional strengthening of PTUN are urgently needed to ensure a legal framework that is fair, rational, and accountable for public officials operating within the bounds of lawful administrative discretion.

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1. INTRODUCTION

In the constitutional framework and judicial system of Indonesia, the delineation of absolute jurisdiction among judicial bodies constitutes a pivotal element in ensuring the effectiveness of law enforcement, the realization of substantive justice, and the guarantee of legal certainty ([Malaka & Isa, 2023](#)). The Administrative Court (Peradilan Tata Usaha Negara or PTUN), established under Law No. 5 of 1986, carries a distinct mandate to adjudicate disputes arising in the realm of state administration, particularly those involving conflicts between private individuals or legal entities and state administrative bodies or officials ([Ramadhan et al., 2024](#)).

However, the dynamic evolution of Indonesia's constitutional landscape especially following the enactment of Law No. 30 of 2014 on Government Administration (hereinafter *Government Administration Law*, or *GAL*) has introduced fundamental shifts in the scope of PTUN's jurisdiction, particularly concerning the authority to review allegations of abuse of power by governmental officials ([Fadri et al., 2020](#)).

The GAL explicitly vests PTUN with absolute competence to determine whether an administrative decision or action constitutes an abuse of authority (Amiruddin et al., 2021). This provision, encapsulated in Article 21 of the GAL, aims to reconfigure the legal paradigm by partially transferring the review of administrative acts from the sphere of criminal law enforcement into the domain of administrative law ([Ishaka, 2024](#)); ([Reform, 2024](#)); ([Nurfarhati, 2024](#)). The rationale underpinning this shift lies in the need to afford legal protection to public officials exercising administrative discretion, preventing premature or unwarranted criminalization in the absence of proper administrative legality tests ([Amiruddin et al., 2021](#)); ([Tata et al., 2025](#)); ([Baihaki, 2021](#)).

Yet, since the promulgation of the GAL in 2014 and the issuance of Supreme Court Regulation No. 4 of 2015 (Perma 4/2015) as its technical implementing guideline, the operationalization of PTUN's authority to adjudicate abuse of power has encountered a multitude of juridical and philosophical challenges ([Februari & Ibrahim, 2024](#)). The emergence of divergent interpretations among scholars, judges, legal practitioners, and law enforcement officers evidences an enduring inconsistency and lack of clarity in the legal policy direction regarding the conferral of such absolute competence upon PTUN ([Amancik et al., 2021](#)).

Normatively, Article 21 of the GAL confers upon PTUN the authority to receive, examine, and rule on applications for abuse of power review ([Glica et al., 2024](#)). Nonetheless, the implementation of this provision has led to significant practical ambiguity, primarily due to the ambiguous delineation of institutional jurisdiction ([Alqoni'atuz Zakiyatur Ramadhani & Utama, 2022](#)). One of the central critiques concerns the lack of harmonization between the GAL and Law No. 31 of 1999 on the Eradication of Corruption Crimes (Anti-Corruption Law). Article 3 of the latter criminalizes abuse of power, thereby creating a normative and jurisdictional conflict between PTUN and the Corruption Court (Pengadilan Tipikor) ([Ernawati Huroiroh et al., 2022](#)).

This jurisdictional tension has engendered interpretive uncertainty concerning the procedural mechanisms and substantive boundaries of abuse of power review. In the constitutional and administrative law discourse, principles such as *lex specialis derogat legi generali* and *lex posterior derogat legi priori* are typically invoked to resolve normative conflicts ([Prahastapa, Anita Marlin Restu, dan Leonard, Lapon Tukan, Putriyanti, 2017](#)). Yet, in the case of the GAL and the Anti-Corruption Law, the contention transcends these formalistic principles and enters the realm of paradigmatic contestation between the protective logic of administrative law, which emphasizes discretionary safeguarding, and the repressive logic of criminal law, which prioritizes penal accountability ([Susilo, 2013](#)); ([Siregar et al., 2024](#)).

At this juncture, the study of legal politics becomes imperative. Legal politics encompasses not only normative products but also the policy direction of lawmaking, ideological considerations, philosophical values, and the correlation between regulations and power structures ([Dharmasisya et al., 2022](#)). Within the framework of the GAL, it is evident that the state seeks to shift from a punitive to a corrective and preventive approach. Nevertheless, this paradigm shift has not been accompanied by institutional consolidation or normative harmonization, leading instead to field-level stagnation and ambiguity ([Barokah & Erliyana, 2021](#)).

The issuance of Perma 4/2015 by the Supreme Court was ostensibly intended to provide technical clarity for the implementation of Article 21 of the GAL ([Hasibuan & Suranta, 2013](#)). However, rather than resolving the normative confusion, it introduced new interpretative constraints that effectively narrow PTUN's jurisdiction. Notably, Article 2(1) of Perma 4/2015 stipulates that applications may only be filed *prior to the initiation of criminal proceedings* ([Rizkyta & Ningsih, 2022](#)). The phrase "prior to the initiation of criminal proceedings" is highly susceptible to multiple interpretations and potential misuse, as it lacks a precise definition whether it refers to a report, investigation, or formal inquiry remains unclear ([Akbar, 2020](#)).

On the practical-legal level, this restriction has led to significant legal uncertainty. Some administrative courts have rejected abuse of power review applications on the grounds that criminal investigations were already underway. Meanwhile, other judges have proceeded with such applications, interpreting that the absence of a formal suspect designation indicates that criminal proceedings have not yet officially commenced. This inconsistency reveals the absence of a settled legal doctrine governing the intersection of PTUN's jurisdiction with that of law enforcement authorities in abuse of power cases ([Harjiyatni & Suswoto, 2017](#)).

Further complexities arise concerning the legal subjects and objects of such applications. Some scholars argue that the application for abuse of power review under Article 21 of the GAL does not constitute a dispute in the conventional sense of PTUN procedural law, as it does not involve a respondent party ([Wicaksono et al., 2020](#)). Thus, such applications are deemed to fall within the realm of *voluntary jurisdiction*, focusing solely on the legality of the applicant's decision or action ([Pramana et al., 2020](#)). However, this view is contested by other academics and judges who contend that the object of the application may include any official act, including the designation of a suspect by investigators thereby necessitating the presence of a respondent party ([HR et al., 2018](#)).

The lack of procedural clarity in abuse of power review applications underscores the fragmented and non-integrated legal political design underlying the formation of the GAL. The intended policy direction to strengthen legal safeguards for public officials is, in practice, undermined by ambiguity and resistance from other law enforcement institutions, notably the Corruption Eradication Commission (KPK) and the Attorney General's Office. This situation illustrates an inherent conflict of interest between administrative protection and criminal law enforcement ([Wahyunadi, 2016](#)).

Statistically, from 2015 to 2022, the number of abuse of power review cases submitted to PTUN has been negligible. According to data from the Supreme Court, only 12 cases with the "PW" code were filed, most of which were rejected on procedural grounds, and only three were adjudicated with a finding of no abuse of power. Ironically, two of those three cases were nonetheless prosecuted by investigators and resulted in guilty verdicts in the Corruption Court. This phenomenon reflects the non-binding effect of PTUN decisions on criminal proceedings, despite the GAL normatively declaring such rulings as final and binding ([Syam et al., 2023](#)).

The scarcity of submitted and accepted applications, coupled with the limited trust in PTUN as a forum for reviewing abuse of power, signifies the weak implementational force of the legal policy enshrined in the GAL. It also points to an institutional trust deficit toward

PTUN, which is perceived as failing to function as an effective gatekeeper in reviewing the legality of administrative actions before they enter the realm of criminal law. Consequently, the objective of legal protection for public officials in exercising administrative discretion remains unfulfilled.

At the theoretical level, the jurisdictional restriction imposed on PTUN by Perma 4/2015 potentially violates the principle of legality in administrative law, which requires that every official act be grounded in legal authority and possess administrative rationality subject to review by a competent tribunal. When such review is precluded by criminal processes, the space for administrative evaluation is foreclosed, and the door to criminalization of discretion remains wide open contravening the spirit of the GAL.

More broadly, the allocation of absolute competence to PTUN is not merely a matter of inter-judicial jurisdictional distribution, but a constitutional engineering effort to construct an internal oversight mechanism within the governance system. From a good governance perspective, PTUN is envisioned as a corrective institution tasked with scrutinizing the rationality and accountability of administrative actions. Thus, any weakness in delineating the scope of PTUN's authority reflects a systemic flaw in designing an effective and credible administrative legal oversight mechanism.

Accordingly, the study of the legal politics behind the conferment of absolute competence to PTUN in abuse of power review must be understood as an endeavor to dissect the architecture of Indonesian administrative law more profoundly. This involves analyzing the legislative ideology, the power dynamics among institutions, and the philosophy underpinning the protection of both individual rights and public officials. Only through a conceptual and political reinterpretation of the GAL can we truly comprehend the institutional role of PTUN in maintaining the delicate balance between safeguarding administrative discretion and combating corruption within Indonesia's legal system

2. RESEARCH METHOD

The research method employed in this study is a qualitative approach utilizing a juridical-sociological framework, designed to conduct an in-depth analysis of legal and political phenomena surrounding the granting of absolute authority to the Administrative Court (Pengadilan Tata Usaha Negara, PTUN) in adjudicating judicial review cases related to abuse of power in Indonesia. The juridical approach is applied to comprehensively examine legal norms, statutory regulations, and legal doctrines governing the authority of PTUN, including an analysis of relevant court decisions as primary legal sources. Concurrently, the sociological approach is employed to explore the socio-political context underpinning the implementation of such absolute authority, taking into account power dynamics, inter-institutional interactions, and emerging political implications. Data were collected through legal document analysis and in-depth interviews with legal scholars, PTUN judges, academics, and political practitioners who possess substantive expertise on the subject matter. The data were analyzed descriptively and qualitatively using content analysis techniques to identify patterns, contradictions, and paradoxes inherent in the application of absolute authority. A data triangulation strategy was adopted to ensure the validity and reliability of the findings by cross-referencing results from document analysis, interviews, and relevant literature

3. RESULT AND DISCUSSION

The Role of the Administrative Court (PTUN) in Cases of Abuse of Power

The phenomenon of abuse of power by public officials in Indonesia has become a central issue of debate between the domains of administrative law and criminal law. When discretionary administrative actions are criminalized, it generates a legal dilemma that significantly impacts the willingness of officials to make decisions—especially those involving public service delivery.

In this context, clarifying the boundary between administrative violations and criminal offenses is of critical importance. Law enforcement agencies frequently invoke the concept of abuse of power without due regard for the principles of proportionality and legality that underpin administrative law. This often results in the criminalization of policy decisions that ought to be reviewed solely through administrative mechanisms.

The Constitutional Court of the Republic of Indonesia addressed this contentious issue in its landmark decision No. 25/PUU-XIV/2016, which reaffirmed the role of the Administrative Court (PTUN) in determining the existence or absence of abuse of power by public officials. The ruling underscored that, in the absence of a definitive administrative judgment by PTUN, law enforcement cannot unilaterally declare an act as a criminal abuse of authority.

The delegation of absolute authority to PTUN to assess allegations of abuse of power carries profound legal and political implications. Legally, it marks a significant expansion of PTUN's jurisdiction as a guardian of administrative justice. Politically, however, it raises questions about the effectiveness, independence, and institutional readiness of the administrative judiciary to carry out such responsibilities with optimal integrity and efficiency.

At a practical level, strengthening PTUN's role in evaluating abuse of power signifies a paradigmatic shift in Indonesia's approach to administrative justice. Moving beyond a solely repressive framework, this model emphasizes legal protection for public officials acting within the boundaries of their authority, thus aiming to mitigate the "chilling effect" within the bureaucracy.

Nonetheless, the implementation of this policy faces substantial challenges. One of the most pressing issues is the limited institutional capacity of PTUN to handle complex and multidimensional cases, such as those involving suspected abuse of power. Moreover, not all law enforcement officers fully comprehend or internalize the principle that the determination of abuse of power must first be established through administrative adjudication.

There are also normative challenges arising from regulatory disharmony. Law No. 30 of 2014 on Government Administration, which serves as the primary legal basis for administrative law, is not yet fully aligned with the provisions of the Criminal Code (KUHP) and the Criminal Procedure Code (KUHAP), which govern criminal law. This legal inconsistency opens interpretative gaps that can be exploited, thereby enabling the misuse of authority in law enforcement practices.

From a jurisprudential perspective, the delegation of absolute authority to PTUN represents an effort to create a more balanced system of checks and balances between the executive branch and law enforcement agencies. PTUN is positioned as an objective and professional forum for assessing the legality of administrative acts prior to the initiation of any criminal proceedings.

However, in practice, there remains resistance from some law enforcement officials who maintain that the assessment of abuse of power falls exclusively within the purview of criminal investigators. This reflects the ongoing struggle to transition toward an ideal model

of legal review, one that requires cross-sectoral commitment and enhanced capacity within the criminal justice apparatus.

This situation creates a legal-political paradox: on the one hand, the state aspires to promote good governance through the prevention of power abuse; on the other hand, it inadvertently generates structural fear among bureaucrats, potentially resulting in stagnation of public service delivery. Public officials become reluctant to make decisions involving administrative risks out of fear of criminal prosecution.

To address this paradox, there must be a reinterpretation of the concept of abuse of power through an interdisciplinary approach that integrates administrative law, criminal law, and public policy analysis. Such an approach will enrich the understanding of law enforcement personnel while ensuring equitable legal protection for state officials.

The Constitutional Court's consistent rulings reinforcing PTUN's authority must also be accompanied by institutional reform, including improvements in human resources, judicial procedures, and information technology systems. PTUN must be equipped with the necessary instruments to conduct substantive examinations of alleged abuse of power swiftly, fairly, and professionally.

Furthermore, the development of technical guidelines is imperative to regulate coordination mechanisms between criminal investigators and PTUN judges. The establishment of such protocols is expected to prevent jurisdictional overlap and institutional conflict between administrative and criminal justice actors.

Within the broader context of national legal development, the division of authority between administrative and criminal law must be grounded in the principles of legal clarity and functional differentiation. Not all errors in the exercise of authority constitute criminal offenses; likewise, not all administrative actions should be exempt from legal scrutiny.

The role of PTUN as the competent authority to review elements of abuse of power constitutes an affirmation of the rule of law. The state must refrain from imposing penalties absent a fair, proportionate, and legally grounded process consistent with the principles of due process.

If effectively implemented, this model has the potential to cultivate a more courageous, responsible, and accountable bureaucracy. Public officials will feel protected, provided they act in accordance with the scope of their authority and the procedures prescribed by law.

Nevertheless, the success of this approach hinges on the government's political will, the integrity of administrative judges, and the synergy among law enforcement institutions. Without a collective commitment, the empowerment of PTUN risks remaining a symbolic reform devoid of practical enforcement.

Case Analysis of Abuse of Authority by the Administrative Court (PTUN)

In the context of judicial review concerning abuse of authority by the Administrative Court (Pengadilan Tata Usaha Negara, PTUN), as stipulated in the Supreme Court Regulation Number 4 of 2015 (Perma 4/2015), there exists a compelling legal-political paradox that warrants in-depth examination. This regulation provides a procedural legal basis for the PTUN to examine allegations of abuse of authority, grounded in the principles articulated in Articles 17 through 21 of the Law on Government Administration (UU AP). However, the regulation also raises fundamental issues, particularly concerning the object and subject of judicial review, as well as the scope of PTUN's authority—each of which has significant implications for the effectiveness and fairness of legal proceedings.

A primary issue lies in the phrase "after the results of APIP's supervision," which serves as the point of reference for initiating a judicial review request under Perma 4/2015. From the standpoint of sound legislative drafting principles, this formulation lacks clarity and is open to multiple interpretations. It may be construed as referring to the issuance of an Audit Report

(LHP) by the Government Internal Supervisory Apparatus (APIP), a follow-up decision by an authorized official, a legal determination by law enforcement agencies, or even the applicant's own decision. This ambiguity creates uncertainty about the scope of the judicial review's object, ultimately leading to legal indeterminacy. In principle, the true object of review should be the LHP issued by APIP which identifies administrative errors or abuse of authority resulting in state financial losses. However, in practice, the role of the LHP as the core object is often neglected, leading to critical misapplications of procedural law.

Furthermore, the ambiguity surrounding the subject of judicial review under Perma 4/2015 has also generated disorder in case handling. Ideally, the respondent in such a review should be the APIP that issued the LHP, as it is the entity responsible for the decision under scrutiny. Yet, in numerous cases, APIP is not designated as the respondent; instead, the government official or agency that frequently acts as the applicant is positioned as such. This situation creates an anomaly wherein the most relevant party to internal oversight the APIP is excluded from direct legal contestation and reduced to the role of a witness, thereby failing to provide the comprehensive explanation necessary to strengthen legal fact-finding in court.

In practice, this confusion impairs the judicial review process, making it difficult to assess accurately whether a decision or action by a public official indeed constitutes an abuse of authority. Judges are frequently confronted with the dilemma of connecting the applicant's arguments with the substantive content of the LHP, as petitions often center solely on the applicant's own decisions or actions, rather than being grounded in APIP's investigative findings. This results in judicial assessments that are often biased and misaligned with the essence of internal governmental oversight, which ought to be the primary subject of review.

Concrete cases such as the legal challenge brought by Hadi Poernomo against the LHP issued by the Inspectorate General of the Ministry of Finance underscore how the lack of clarity in PTUN's authority may culminate in verdicts that annul APIP audit decisions on the grounds of procedural legality and regulatory compliance. The Supreme Court's ruling in this case reaffirmed that an LHP issued by APIP qualifies as a binding State Administrative Decision (*Keputusan Tata Usaha Negara*, KTUN), and therefore falls within the PTUN's jurisdiction to assess its validity based on administrative law principles.

Nonetheless, the ambiguous definitions of both the object and subject of review within Perma 4/2015 have led to divergent practices in adjudication. Data from various PTUN and High Administrative Court (PTTUN) rulings reveal that only a minority of cases explicitly recognize the LHP as the object of review. Conversely, many cases involve review objects that consist of the applicant's own decisions, actions by law enforcement agencies, or decisions by State-Owned Enterprise (BUMN) executives. This inconsistency reflects the broader legal uncertainty and erratic implementation of the regulation.

This normative vagueness has also produced courtroom anomalies, where APIP is present only as a witness rather than a legally accountable party capable of defending or clarifying the LHP that lies at the heart of the dispute. In reality, APIP plays a pivotal role in articulating a comprehensive account of the oversight process and the findings concerning alleged abuses of authority. Excluding APIP from the status of respondent undermines the integrity of judicial examination and induces potential bias in judicial evaluation, which should simultaneously assess both the validity of the LHP and the legality of the challenged administrative act or decision.

Additionally, there remains an ongoing debate regarding who holds the legal standing to file a judicial review petition before the PTUN. Perma 4/2015 permits government institutions to act as applicants, a provision that has attracted criticism from various legal scholars who argue that such standing should not be extended to law enforcement agencies or investigative bodies. From the perspective of legal politics and the principle of law enforcement, however, this procedural model is interpreted as an attempt to provide legal certainty and protection to public officials subjected to internal oversight. Consequently, if

law enforcement authorities are dissatisfied with an APIP audit, the relevant government institution may petition the PTUN to annul the LHP and seek judicial clarification on whether the official's actions indeed constitute an abuse of authority.

This emerging model of law enforcement has even been codified as a legal mechanism in the issuance of presidential regulations aimed at accelerating national strategic projects, which specifically endorse the adjudication of APIP decisions through PTUN. Such developments illustrate a legal-political dimension that simultaneously seeks to safeguard public officials while upholding the principles of accountability and transparency. Nevertheless, the implementation of this model continues to face formidable challenges due to normative ambiguity and interpretive plurality, both of which confuse legal practitioners and institutional actors.

To resolve this legal-political paradox, a fundamental revision of Perma 4/2015 is essential—one that explicitly delineates the object of review and clearly identifies the respondent in abuse of authority proceedings. Such clarity is critical for the PTUN to effectively perform its judicial function, ensure substantive justice, and avoid procedural manipulation that may prejudice the rights of involved parties. Legal harmonization among the UU AP, Perma, and other supporting regulations should aim to establish a more coherent and predictable framework of legal certainty.

Moreover, any procedural reform related to the judicial review of abuse of authority at the PTUN must give due consideration to the institutional role of APIP, which holds primary authority and responsibility for internal oversight. By designating APIP as the formal respondent, court proceedings can become more objective and substantive, thereby enabling decisions that evaluate not only procedural legality but also material truth regarding abuse of authority allegations.

This paradox also reflects the underlying tension between legal and political dimensions within Indonesia's administrative justice system. On the one hand, the court must uphold the principles of independence and professionalism in evaluating administrative decisions; on the other hand, regulatory and judicial practices must be responsive to the political dynamics and policy contexts that inform the application of abuse of authority reviews. Thus, resolving this paradox is not merely a matter of procedural technicality, but also signifies the strategic role of PTUN in maintaining a balance between governmental accountability and the protection of public officials' rights.

Ultimately, the paradigm underpinning the judicial review of abuse of authority at the PTUN must evolve toward a legal system that is more transparent, accountable, and attuned to shifting socio-political contexts. Effective law enforcement cannot rely solely on codified norms, but must also be supported by a robust legal culture and a collective awareness of the importance of integrity and good governance. Accordingly, the revision and strengthening of regulations governing PTUN's jurisdiction represent a crucial step toward realizing a credible and just administrative judiciary in Indonesia

4. CONCLUSION

The pivotal role of the Administrative Court (PTUN) lies in its ability to delineate the boundaries between administrative law and criminal law, particularly in the context of safeguarding public officials from disproportionate criminalization. The Constitutional Court's decision to reinforce PTUN's jurisdiction underscores the principle that any alleged abuse of authority must first undergo administrative scrutiny before criminal proceedings can be initiated by law enforcement. This establishes a more balanced system of checks and balances between executive bodies and judicial authorities.

However, the implementation of this policy faces several critical challenges, including the limited capacity of PTUN to handle complex cases, the inadequate understanding among

law enforcement officers regarding PTUN's legal mandate, and regulatory disharmony between the Administrative Governance Law and the Indonesian Penal Code (KUHP) and Criminal Procedure Code (KUHP). A case study based on Supreme Court Regulation No. 4 of 2015 (Perma 4/2015) reveals serious normative ambiguities, especially in defining the objects and subjects of judicial review. The phrase "following the results of APIP supervision" is open to multiple interpretations, often leading to confusion during trials.

This lack of clarity has led to anomalies in judicial practice, where APIP the most relevant supervisory body is merely treated as a witness rather than as a respondent, thereby weakening the quality of judicial examination and increasing the potential for judicial bias. This practice has also resulted in inconsistent rulings and legal uncertainty, ultimately undermining the enforcement of administrative law. From a legal-political perspective, this model reflects the government's attempt to provide legal protection while upholding the principles of accountability and transparency. Nonetheless, it still requires cross-sectoral commitment and institutional reform to achieve optimal effectiveness.

This study recommends a comprehensive revision of Perma 4/2015 to explicitly define the objects and subjects of judicial review, alongside strengthening PTUN's institutional capacity through targeted training programs, the establishment of specialized units, and the enhancement of judicial integrity. Such reforms are essential to resolve this legal-political paradox and to foster a more courageous, responsible, and accountable bureaucracy in exercising public authority

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